

FINANCE & ADMINISTRATION COMMITTEE MEETING

Tuesday, April 19, 2016

6:30 p.m.

Hampden Town Office

- 1. Meeting Minutes – April 4, 2016 Meeting**
- 2. Review & Sign Warrants**
- 3. Old Business**
 - a. Sewer fund status update & financing options**
- 4. New Business**
 - a. Mobile food vendors on public property**
 - b. Historic District Ordinance – Process for review**
- 5. Public Comment**
- 6. Committee Member Comments**

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, April 4, 2016

MINUTES – DRAFT

Attending:

Mayor David Ryder

Councilor Greg Sirois, Chair

Councilor Ivan McPike

Councilor Mark Cormier

Councilor Terry McAvoy

Councilor Dennis Marble

Councilor Stephen Wilde

Town Manager Angus Jennings

Chairman Sirois called the meeting to order at 6 p.m.

- 1. Meeting Minutes – March 21, 2016 Meeting** – *Motion by Councilor McAvoy seconded by Councilor McPike to approve the March 21, 2016 minutes as written. Approved 7-0.*
- 2. Review & Sign Warrants** – *Warrants were reviewed and signed by Committee members.*
- 3. Old Business**
 - a. Request authorization for payment of invoice from Penobscot Temperature Controls (labor only; boiler was under warranty) for the pinhole leak in the boiler from Municipal Building Reserve Account in amount of \$2,317.27** – *Manager Jennings reported that, while the boiler found to have a pinhole leak in December was covered under warranty, the labor was not. Motion by Councilor McPike, seconded by Mayor Ryder, to recommend Council approval of the invoice for labor associated with replacing the boiler, to be funded from the Municipal Building Reserve Account. Motion carried 7-0.*
 - b. Town Manager Evaluation** – *Mayor Ryder presented a personnel evaluation to Manager Jennings, as provided for in his employment contract after 6 months of employment. Mayor Ryder based the evaluation on feedback he'd received from each of the Councilors. He said that the Council is pleased with Manager Jennings' work. Manager Jennings said he is happy to be working on behalf of the Town of Hampden. Motion by Councilor McPike, seconded by Councilor McAvoy, to approve the increase in salary provided in the contract upon successful completion of 6 months. Motion carried 7-0.*

- c. **Land use reorganization 12 month review – Invitation for Councilor's comments** – *Manager Jennings summarized the reorganization of planning and economic development functions (as well as Assessing and GIS/IT) that had happened in May 2015, and that there had been an expectation at that time that this reorganization would be evaluated after 12 months to see how it's working. He said that any comments from members of the Council, the public, the development community or otherwise would be welcome and taken into account. Comments should be directed to the Town Manager, and should focus on the function or organization of the departments, rather than specific personnel. Councilor McAvoy said that he does not think a full-time Assessor is needed and that this function should be part-time or contracted out.*

4. New Business

- a. **Request authorization to transfer funds from the Personnel Reserve Account to reimburse personnel line items (Administration, Public Works) for FY16 retirement pay-outs** – *Manager Jennings summarized the materials in the meeting packet that pay-outs of accrued vacation, comp and sick time had been made for three retired employees in accordance with the terms in the Personnel Ordinance. In FY15, these same types of payments were paid from the wage line items in the budget, resulting in those line items exceeding budgeted amounts. Manager Jennings has consulted with the Auditor, who recommends that such payments be paid out of a Personnel Reserve Account. Motion by Councilor Marble, seconded by Councilor McPike, to recommend Council approval of expenditures from the Personnel Reserve Accounts in order to credit the amounts paid from wage line items so these payments are accounted for properly. Motion carried 7-0. Councilor McAvoy asked what would happen if there is another retirement. Manager Jennings said that, if the retiree had accrued vacation, comp and/or sick time, payments would be required under the Personnel Ordinance.*

5. **Public Comment** – *Manager Jennings circulated a report he prepared summarizing his review of accounting for the Route 1A sewer work in 2014. His analysis showed that the 5% retainage amount due to the contractor T. Buck was proper (as had been found by the Town's consulting engineer Woodard & Curran), so he had authorized payment of the invoice from the Sewer Fund. He noted that, for future bond-supported projects, if cost estimates significantly exceed estimates on which the bond was based, it would be important to make adjustments to costs or revenues as needed to avoid a future situation such as this where the amounts due exceed the funds*

provided from the bond proceeds.

- 6. Committee Member Comments** – *Chairman Sirois noted that, for Finance Committee meetings such as this with light agendas, the meeting start time could be postponed to 6:30 instead of 6.*

There being no further business, the meeting was adjourned at 6:19 p.m.

Respectfully submitted –
Angus Jennings
Town Manager



Angus Jennings <townmanager@hampdenmaine.gov>

Sewer invoices / financing update

1 message

Angus Jennings <townmanager@hampdenmaine.gov>

Wed, Apr 13, 2016 at 4:58 PM

To: Andy Rudzinski <andy.rudzinski@bangormaine.gov>

Cc: Sean Currier <publicworks@hampdenmaine.gov>, Tammy Ewing <financehr@hampdenmaine.gov>

Hi Andy,

I've attached a file with summary info re our pending invoices past due to Bangor. I'm working with the Town Council on a plan to get our account current and this will almost certainly require borrowing and a referendum. Based on advice from Bond Counsel I don't expect we'll qualify for tax exempt bonds since the borrowing would cover previously incurred costs rather than capital improvements.

As we move in that direction, I wanted to check the latest info re anticipated timing and costs for the work at the Bangor WWTP since, if we're going to referendum, we'll want to set the amount to both get us current and allow us to meet our obligations for our portion of the facility work. Please let us know whether cost estimates have been refined since we last met, or if not when these costs will become more firm. Also, it will be helpful to set up a timeline for Hampden's payment of our share.

I'd also like to get your thoughts re why the monthly treatment charges increased so dramatically from Nov 2014 to June 2015. We've reviewed Hampden's flow data during that period and don't see anything there to explain the increases. The increases made a bad situation worse here, and also create challenges for us in budgeting properly for FY17 service charges. Whatever information you can provide will be welcome.

Finally, I'm interested in whether you've ever participated in the USDA Rural Development Program. Based on my understanding of the program I believe Hampden would be eligible to participate. Bangor, probably not. But before I pursue it further I wanted to get your thoughts re whether there may be any benefit to pursue this together. As you may know the financing terms can be very favorable.

We'd be happy to meet again if that will help advance any of these matters.

Thanks,
Angus

Angus Jennings
Town Manager

Town of Hampden
106 Western Avenue
Hampden, ME 04444
(207)-862-3034
townmanager@hampdenmaine.gov

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**Hampden sewer invoices from Bangor - summary notes April 2016.pdf**

274K

Hampden Sewer Fund, Analysis of 3-23-16

<u>Sewer Invoices from City of Bangor</u>	<u>Period of Service</u>	<u>Total Amount Due</u>	<u>Date Due</u>	<u>Date Paid</u>	<u>Amounts Past Due</u>	<u>Total Amounts Due</u>	
10/31/2014	Jan. to June 2014	\$ 94,534.94	11/30/2014	12/2/2015	\$ -	\$ -	
11/18/2014	July to Oct. 2014	\$ 72,707.72	12/18/2014	12/16/2015	\$ -	\$ -	
3/6/2015	Nov '14 to Feb '15	\$ 126,695.57	4/5/2015	n/a	\$ 126,695.57	\$ 126,695.57	
10/27/2015	March to June 2015	\$ 73,304.43	11/26/2015	n/a	\$ 73,304.43	\$ 73,304.43	
3/10/2016	July '15 to Feb '16	\$ 122,809.73	4/9/2016	n/a	\$ 122,809.73	\$ 122,809.73	
					\$ 322,809.73	\$ 322,809.73	
			FY16 paid, year to date		\$ 167,242.66	For service in FY14 and FY15	

Hampden Sewer Fund, Analysis of 3-23-16

<u>Sewer Invoices from City of Bangor</u>	<u>Total</u>	<u>Treatment Charge</u>	<u>Pump Station Contract</u>	<u>Adjustment</u>
10/31/2014	\$ 94,534.94	\$ 68,751.89	\$ 25,783.05	
11/18/2014	\$ 72,707.72	\$ 58,367.16	\$ 14,340.56	
3/6/2015	\$ 126,695.57	\$ 108,417.19	\$ 18,278.38	
10/27/2015	\$ 98,603.07	\$ 83,209.49	\$ 15,393.58	\$ (25,298.64)
3/10/2016	\$ 122,809.73	\$ 80,550.68	\$ 42,259.05	
	\$ 515,351.03	\$ 399,296.41	\$ 116,054.62	\$ (25,298.64)
Amount past due:	\$ 322,809.73	\$ 272,177.36	\$ 75,931.01	\$ (25,298.64)

Treatment Service Charge		
Acct. 60-10-60-02		
Amt.	Date (Inv.)	Date (Svc)
\$ 12,019.65	10/31/2014	Jan-14
\$ 8,965.19	10/31/2014	Feb-14
\$ 11,116.88	10/31/2014	Mar-14
\$ 11,783.77	10/31/2014	Apr-14
\$ 12,509.07	10/31/2014	May-14
\$ 12,357.33	10/31/2014	Jun-14
\$ 7,468.01	11/18/2014	Jul-14
\$ 10,795.90	11/18/2014	Aug-14
\$ 19,653.99	11/18/2014	Sep-14
\$ 20,449.26	11/18/2014	Oct-14
\$ 26,330.82	3/6/2015	Nov-14
\$ 18,269.36	3/6/2015	Dec-14
\$ 31,719.40	3/6/2015	Jan-15
\$ 32,097.61	3/6/2015	Feb-15
\$ 17,288.38	10/27/2015	Mar-15
\$ 18,688.94	10/27/2015	Apr-15
\$ 11,176.56	10/27/2015	May-15
\$ 36,055.61	10/27/2015	Jun-15
\$ 5,250.65	3/10/2016	Jul-15
\$ 5,868.71	3/10/2016	Aug-15
\$ 6,071.16	3/10/2016	Sep-15
\$ 14,387.24	3/10/2016	Oct-15
\$ 13,663.38	3/10/2016	Nov-15
\$ 14,954.96	3/10/2016	Dec-15
\$ 9,107.91	3/10/2016	Jan-16
\$ 11,246.67	3/10/2016	Feb-16
\$ 399,296.41		



Angus Jennings <townmanager@hampdenmaine.gov>

RE: Sewer invoices / financing update

1 message

Rudzinski, Andy <andy.rudzinski@bangormaine.gov>

Thu, Apr 14, 2016 at 10:39 AM

To: Angus Jennings <townmanager@hampdenmaine.gov>

Cc: Sean Currier <publicworks@hampdenmaine.gov>, Tammy Ewing <financehr@hampdenmaine.gov>, "Cyr, Keefe" <keefe.cyr@bangormaine.gov>, "Fraser, Rhonda Jordan" <rhonda.jordan.fraser@bangormaine.gov>

Hi Angus,

I have asked Rhonda to look at the charges in the billing.

As far as the upcoming planned work at the WWTP, we are close. The pre-bid for the Biotower is being held today, the bids are due the 27th of April. At this point, we can't give you any more than what we have- Hampden's share will be 8.33% of whatever the final costs are. As you know we figured the costs will be approximately \$4.3 to \$4.5 million, your share should be approximately \$354,00.00. With any luck, it may be less. I will let you know the amount when the award is made.

Setting a timeline for payment is something I would want to have the Finance Director involved in. I will be sure to let her know that you are concerned so we can start the information sharing process as soon as possible.

I have zero experience with the USDA Rural Development Program, however Amanda Smith has at Winterport. You can contact her. I don't know that Bangor has any interest, but again I will bring it to Finance.

Talk to you soon-

Andy

From: Angus Jennings [mailto:townmanager@hampdenmaine.gov]

Sent: Wednesday, April 13, 2016 4:58 PM

To: Rudzinski, Andy <andy.rudzinski@bangormaine.gov>

Cc: Sean Currier <publicworks@hampdenmaine.gov>; Tammy Ewing <financehr@hampdenmaine.gov>

Subject: Sewer invoices / financing update

Hampden Sewer Fund, Analysis of 4-14-16

<u>Sewer Invoices from City of Bangor</u>	<u>Period of Service</u>	<u>Total Amount Due</u>	<u>Date Due</u>	<u>Date Paid</u>	<u>Amounts Past Due</u>	<u>Total Amounts Due</u>
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3/10/2016	July '15 to Feb '16	\$ 122,809.73	4/9/2016	n/a	\$ 122,809.73	\$ 122,809.73
					<u>\$ 322,809.73</u>	<u>\$ 322,809.73</u>

FY16 paid, year to date \$ 167,242.66 For service in FY14 and FY15

Sewer Debt Service Payments Due

<u>Bond</u>	<u>Series</u>	<u>Total Amount Due</u>	<u>Date Due</u>	<u>Date Paid</u>	<u>Amounts Past Due</u>	<u>Total Amounts Due</u>	<u>Maturity</u>
2014 Sewer Project	2014 A	\$ 12,010.80	5/1/2016	3/31/2016	n/a	\$ -	11/1/2034
1996 Sewer SRF	1997 A	\$ 2,668.09	4/1/2016	4/1/2016	n/a	\$ -	10/1/2017
2006 Sewer Bond	2006 C	\$ 16,440.85	5/1/2016	4/4/2016	n/a	\$ -	11/1/2026
2010 Route 1A Sewer Bond		\$ 101,121.81	7/29/2016	n/a	n/a	\$ 101,121.81	7/29/2029
						<u>\$ 101,121.81</u>	

Other Known Sewer Fund Amounts Due

Sewer Warrant 225 (funds sent not yet cleared)	\$ 2,700.00	n/a	n/a		\$ 2,700.00
Sewer Warrant 226 (funds sent not yet cleared)	\$ 5,907.24	n/a	n/a		\$ 5,907.24
Retainage invoice, Rte 1A project	\$ 55,685.77	3/30/2016	3/30/2016	not yet cleared	\$ 55,685.77
Transfer to General Fund (Rev. Acct 01-78)	\$ 60,000.00	6/30/2016	n/a		\$ 60,000.00
					<u>\$ 124,293.01</u>

Total Amounts Due: \$ 548,224.55

Other Estimated FY16 Sewer Fund Amounts Due

<u>Cost</u>	<u>Amount (est.)</u>	<u>Basis</u>
Bangor Treatment Charges, March to June 2016	\$ 83,209.49	FY15 invoiced amounts for March to June
Bangor Pump Station Maintenance, March to June 2016	\$ 14,186.08	4 months at new rate of \$3,546.52
Bangor Pump Station Maintenance Extras, March to June	\$ 7,304.82	Est. based on per month cost YTD
Other operational costs (legal, electric, fuel, liens, postage, supplies)	?	Not estimated
	<u>\$ 104,700.39</u>	

Total Amounts Due and Anticipated: \$ 652,924.94

Sewer Fund balance:	\$ 98,924.71	4/13/2016
Estimated revenue, 1Q bills:	\$ 130,000.00	In May 2016
TOTAL, current and estimated:	\$ 228,924.71	

Estimated shortfall: \$ (424,000.23)

Interfund Transfers to Sewer Fund, FY16 YTD

<u>Date</u>	<u>Amount</u>
10/15/2015	\$ 55,000.00
12/14/2015	\$ 50,000.00
1/14/2016	\$ 5,000.00
	<u>\$ 110,000.00</u>

Interfund Transfers to Sewer Fund, FY15 Year-end

<u>Date</u>	<u>Amount</u>
6/30/2015	\$ 541,666.00

Total balance due to General Fund: \$ 651,666.00

Total shortage, Sewer Fund: \$ 1,075,666.23



Angus Jennings <townmanager@hampdenmaine.gov>

Re: Food Truck

1 message

Wild Cow Creamery <scoops@wildcowcreamery.com>

Wed, Apr 13, 2016 at 2:41 PM

To: Angus Jennings <townmanager@hampdenmaine.gov>

Hi Angus,

Thank you very much for your response. We would like to proceed and would be grateful to know the next steps and what information you would require. Are there any fees for the Victualer's Ordinance? Thanks again for your help.

Sarah Wilder

Wild Cow Creamery

sarah@wildcowcreamery.com

(207) 907-0301

On Wed, Apr 13, 2016 at 9:19 AM, Angus Jennings <townmanager@hampdenmaine.gov> wrote:

Hi Sarah,

I have reviewed your request with the Town Clerk and with Code Enforcement.

There is not a formal policy in place regarding allowance for setup on town property, but we refer you to the ongoing agreement with the Farmers' Market as a precedent. This agreement, attached, was reviewed and approved by the Town Council, and the same process would be needed here. If you'd like to pursue this I can assist in getting this scheduled and providing you input re what information may be needed re location, timing, impact on parking, electrical access etc. I have discussed the request preliminarily with the Rec Director and Pool Director and their input would be sought if/once a request is filed with more detail.

Whether on town property or private property, a Victualers License would be required for this use under our Victualers Ordinance (online). I have copied the Town Clerk Paula Scott who can assist with this process.

Please let us know how you'd like to proceed.

Thanks,

Angus

On Tue, Apr 12, 2016 at 11:52 AM, Wild Cow Creamery <scoops@wildcowcreamery.com> wrote:

Dear Mr. Jennings,

My husband and I are residents of this town and have a homemade ice cream business. We are looking for a place to set up our ice cream stand over the summer and we were hoping we could set up at the Lura Hoit Pool one day a week. We would pull in mid-morning and leave in the evening. We believe people of the town would really enjoy this situation based on our time spent set up in the town in the past. You can ask Rosemary about our previous time in Hampden. I would be happy to come in to speak with you further about it. I look forward to hearing from you.

Thank you for your consideration,
Sarah Wilder

Wild Cow Creamery

sarah@wildcowcreamery.com

(207) 907-0301

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: info@hampdenmaine.gov

**AGREEMENT BETWEEN THE TOWN OF HAMPDEN AND
THE HAMPDEN FARMER'S MARKET**


Per vote of the Hampden Town Council taken on April 22, 2014, the Hampden Farmer's Market has permission to operate its Farmer's Market in the upper parking lot of the Hampden Municipal Building at 106 Western Avenue, Hampden, ME on Friday afternoons from May 23, 2014 through the market season for 2014. Unless unforeseen circumstances occur, the permission shall be continued on an annual basis for subsequent years. The Farmer's Market shall coordinate its activities for start-up, insurance certificates, and end of season with the Town Manager.

No fee is required from the Farmer's Market for the use of the property.

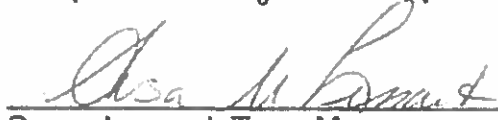
The following conditions shall apply to all vendors who participate in the Farmer's Market:

1. All vendors shall provide proof of insurance that names the Town as an additional insured
2. The property will be left in a clean condition after each market.
3. There shall be no damage to any portion of municipal property by any vendor/customer of the Farmer's Market. Any damages will be the responsibility of the Hampden Farmer's Market to repair/replace.
4. All vendors shall be in compliance with all applicable state/local laws and regulations in regard to the sale of their goods.
5. The Hampden Farmer's Market will set up vendors so as not to impede access to the Hampden Public Safety entrance at the back of the Municipal Building.
6. Failure of the Hampden Farmer's Market to comply with the terms of this agreement may result in termination of the use of the facility.

Signed this 21st day of May, 2014.


Hampden Farmer's Market Representative


Witness


Susan Lessard, Town Manager


Witness



Angus Jennings <townmanager@hampdenmaine.gov>

Victualer's License Application

1 message

Paula Scott <clerk@hampdenmaine.gov>

Wed, Apr 13, 2016 at 4:04 PM

To: scoops@wildcowcreamery.com

Cc: Angus Jennings <townmanager@hampdenmaine.gov>

Good afternoon Sarah,

Angus copied me on your request to proceed with an application for a Victualer's license, which I have attached. The fee for the public hearing is currently \$125.00 and must be paid upon receipt of the completed application. The public hearing fee may be increasing to \$150.00 within the next 30 days, dependent upon whether or not the fees ordinance amendments are approved at public hearing on Tuesday. I am assuming you would be turning your application around quicker than 30 days, but I wanted to let you know the potential of an increased fee. At any rate, once we receive your completed application, I will verify with the Tax Collector and the Treasurer that any financial obligations you may have that are due the town are paid and they will sign off on the application. The next step is to refer your application to the Code Enforcement Officer for an inspection. When I receive the department report back from the code office, I will place your request on an agenda for public hearing and post the public hearing notice. Although not required by ordinance, it may be prudent to be in attendance at the public hearing in order that you may answer any questions that the Council or the public may have.

If I can be of any further assistance, please do not hesitate to contact me.

Paula A. Scott, CCM
Town Clerk
Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067



VICTUALERS APPLICATION FORM (Pub Hrg).doc

27K

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-4500
Fax: (207) 862-5067
email:
economicdevelopment@hampdenmaine.gov

To: Angus Jennings, Town Manager
From: Dean Bennett, Director of Community Development
Date: April 14, 2016
Subject: Historic Preservation Commission (Certificate of Appropriateness)

In accordance with the Historic Preservation Ordinance, "Any change in the exterior appearance of a historic landmark or site, or any building in a historic district by addition, reconstruction or alteration", requires a Certificate of Appropriateness from the Hampden Historic Preservation Commission.

I anticipate an application for such a Certificate is forthcoming and I don't believe we have a standing Historic Preservation Commission. Would it be possible, until such time a full Commission is appointed, for the Council or a Council Sub-Committee to serve in the capacity of the Commission?

Of primary concern is that we don't unnecessarily delay the review and approval of an Alteration Permit Application because of the absence of a Historic Preservation Commission and consequently the inability to obtain a Certification of Appropriateness.